

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT ACOSTA,

Movant,

22-cv-1774 (PKC)

-against-

UNITED STATES OF AMERICA,

Respondent.

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UNITED STATES OF AMERICA,

18-cr-80 (PKC)

-against-

JUDGMENT

ROBERT ACOSTA,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 24, 2023, the Court has considered the entirety of Acosta's arguments and finds them to be without merit. His motion to vacate, set aside or correct his conviction and sentence pursuant to 28 U.S.C. § 2255 is DENIED. Acosta has not made a substantial showing of the denial of a constitutional right, and accordingly, a certificate of appealability will not issue. 28 U.S.C. § 2253; see *Blackman v. Ercole*, 661 F.3d 161, 163-64 (2d Cir. 2011). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

**DATED:** New York, New York

October 25, 2023

**RUBY J. KRAJICK**  
**Clerk of Court**

**BY:**

A handwritten signature in black ink, consisting of several loops and a final horizontal stroke, positioned above a horizontal line.

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**Deputy Clerk**